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IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM CLARK,	:	NO.: 1:CV01-0764
Plaintiff	:	
	:	(JUDGE CALDWELL)
v.	:	
	:	
MARTIN HORN, et al.,	:	JURY TRIAL DEMANDED
Defendants	:	

DEENDANTS, WEXFORD HEALTH SOURCES, INC.
AND JOHN SYMONS, M.D.'S MOTION FOR ENLARGEMENT
OF TIME TO RESPOND TO PLAINTIFF'S INTERROGATORIES

AND NOW, come Defendants, Wexford Health Sources, Inc. and John Symons, M.D., by and through their attorneys, Lavery, Faherty, Young & Patterson, P.C., and file this Motion for Enlargement of Time to Respond to Plaintiff's Interrogatories and in support thereof, aver as follows:

1. William Clark, an inmate at SCI-Rockview, filed this pro se civil rights action pursuant to 42 U.S.C. § 1983 arising out of the medical care which Plaintiff received at SCI-Rockview.

2. In addition to Wexford Health Sources, Inc. and Dr. John Symons, Wexford's Medical Director at SCI-Rockview, Plaintiff's Complaint also named Martin Horn, Robert Meyers and Larry Lidgett ("Corrections Defendants") as Defendants.

3. Plaintiff propounded Interrogatories and a Request for Production of Documents upon all Defendants in January, 2002.

4. On March 25, 2002, the Corrections Defendants filed a Motion for Summary Judgment and a Motion for a Protective Order with respect to Plaintiff's written discovery requests.

5. By Memorandum and Order dated May 20, 2002, this Honorable Court denied the Corrections Defendants' Motion for a Protective Order and directed Defendants Horn and Lidgett to respond to Plaintiff's Interrogatories within forty-five (45) days. The Order also afforded Plaintiff thirty (30) days from receipt of Defendants' discovery responses to file an appropriate response to the Corrections Defendant's Motion for Summary Judgment.

6. Defendants, Wexford Health Sources, Inc. and John Symons, M.D., have responded to Plaintiff's Request for Production of Documents. Moreover, the Department of Corrections, the records custodian for Plaintiff's prison records, has already afforded Plaintiff an opportunity to examine, inspect and/or photocopy the discoverable portions of his prison medical files.

7. Given the commonality of interests between the Wexford Defendants and the Corrections Defendants on the Eighth Amendment claims asserted, Moving Defendants sought to coordinate their discovery responses with the Co-defendants.

8. At no time following service of the discovery request, has Plaintiff contacted undersigned counsel with respect to Moving Defendants' discovery responses, nor has Plaintiff moved to compel discovery.

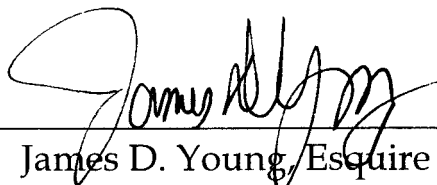
9. Due to trial preparations and previously scheduled commitments in other matters, undersigned defense counsel is in need of thirty (30) days within which to confer with his clients and respond to Plaintiff's Interrogatories.

10. The Corrections Defendants' Answer to Plaintiff's Interrogatories are not due until July 3, 2002 and Plaintiff's response to the Corrections Defendants' pending Motion for Summary Judgment is not due until August 2, 2002. Consequently, Plaintiff's substantive rights will not be prejudiced by granting this Motion for Enlargement of Time.

WHEREFORE, Defendants, Wexford Health Sources, Inc. and John Symons, M.D., respectfully request that this Honorable Court grant their Motion for Enlargement of Time to respond to Plaintiff's Interrogatories and enter the accompanying Court Order.

Respectfully submitted,

Lavery, Faherty, Young &
Patterson, P.C.

By: 

James D. Young, Esquire
Atty No. 53904

225 Market Street, Suite 304

P.O. Box 1245

Harrisburg, PA 17108-1245

Attys for Defendants, Wexford
Health Sources, Inc. and
John Symons, M.D.

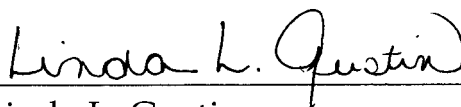
DATE: 5/22/02

CERTIFICATE OF SERVICE

I, Linda L. Gustin, an employee with the law firm of Lavery, Faherty, Young & Patterson, P.C., do hereby certify that on this 22nd day of May, 2002, I served a true and correct copy of the foregoing **Defendants, Wexford Health Sources, Inc. and John Symons, M.D.'s Motion for Enlargement of Time to Respond to Plaintiff's Interrogatories** via U.S. First Class mail, postage prepaid, addressed as follows:

William Clark
#AY5585
SCI-Rockview
PO Box A
Bellefonte, PA 16823

John Talaber, Esquire
Office of Chief Counsel
PA Department of Corrections
55 Utley Drive
Camp Hill, PA 17011



Linda L. Gustin